

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLAUDIA WOODARD and ELISE LAWLESS,

Plaintiffs,

-against-

TWC MEDIA SOLUTIONS, INC. and THE  
WEATHER CHANNEL,

Defendants.

Case No. 09 Civ. 3000 (BSJ)(AJP)

**AFFIDAVIT OF BECKY POWHATAN**

STATE OF GEORGIA       )  
                                  ) ss.:  
COUNTY OF Cobb       )

Becky Powhatan, being duly sworn, deposes and says:

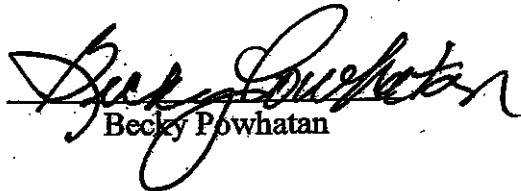
1. I am familiar with the facts and circumstances set forth in this Affidavit. I make this Affidavit based on my personal knowledge, and/or my review of documents regularly maintained in the regular course of business by Defendants TWC Media Solutions, Inc. ("TWCMS") and The Weather Channel ("TWC"). I make this affidavit voluntarily, knowing that it will be used in legal proceedings.

2. I am currently the Executive Vice President, Distribution and Business Affairs, and General Counsel of The Weather Channel. I have served as General Counsel of The Weather Channel since September 1996.

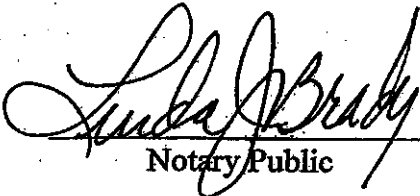
3. More than three years elapsed between Claudia Woodard's filing of her original EEOC Charge on June 3, 2005 and the EEOC's issuance of its determination on Woodard's Amended Charge on August 13, 2008.

4. At no time during this very lengthy investigation period did the EEOC contact TWCMS to request any information beyond what was contained in the position statements TWCMS submitted in response to Claudia Woodard's EEOC Charge and her Amended EEOC Charge. Nor was TWCMS ever invited to meet with any EEOC representatives regarding Ms. Woodard's EEOC Charge.

5. In the course of discovery in this action, Defendants learned for the first time that the EEOC investigator and an EEOC trial attorney had met with Ms. Woodard and her lawyer sometime after Ms. Woodard filed her EEOC Charge against TWCMS but before the EEOC issued its determination on that Charge. Had TWCMS been informed that Woodard and her counsel had been given the opportunity to meet with the EEOC investigator and with counsel for the EEOC in the course of the EEOC investigation, TWCMS would have requested the same opportunity to meet with the EEOC.

  
Becky Powhatan

Sworn to before me  
this 29 day of October 2009

  
Notary Public

